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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,  Plaintiff,  v.  LORAN ST. CLAIR,  Defendant.	MOTION TO DISMISS    Case No. 2:09-CR-00291 (Judge Benson)
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Defendant, Loran St. Clair, by and through his attorney, Mark R. Moffat, submits this Motion to Dismiss and respectfully requests that this Court dismiss Counts 1 and 2 of the Superseding Indictment against Mr. St. Clair. These counts are multiplicitous of the remaining count and should be dismissed. This Motion is more fully supported by the accompanying Memorandum in Support.

DATED this 15<sup>th</sup> day of January 2010.

/s/ Mark Moffat  
MARK R. MOFFAT  
Attorney for Defendant

***Certificate of Service***

I hereby certify that on January 15, 2010, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which sent notification of such filing to the following:

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and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

N/A

/S/ Carol A. McCracken